

REMARKS

Claims 11 and 12 have been amended, leaving Claims 8-13 for consideration upon the entry of the amendments. No new matter has been introduced by the amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Specification Objections:

The abstract of the disclosure is objected to because of the use of the term "is described herein". The abstract of disclosure has been amended to overcome the objection.

Claim Objections:

Claims 11 and 12 are objected to for informalities. Claims 11 and 12 have been amended to overcome the claim objections.

Claim Rejections Under 35 U.S.C. § 102:

Claims 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Clarkson et al., US 5,271,426 (hereinafter "Clarkson"). Applicant respectfully traverses the rejections because Clarkson fails to disclose each and every element of Claim 8.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 8 recites "A guillotine valve, comprising: a body; and two sealing elements mounted oppositely and in mutual contact; wherein the sealing elements are interchangeable, hollow in construction and produced of elastomer; and wherein each one of the sealing elements includes a pneumatic circumferential watertight chamber entirely filled with air".

In contrary, Col. 6, lines 26-30 of Clarkson teach that sleeve unit 52 is similar to sleeve unit 51, having an annular resilient body 55 and carrying an annular shaped stiffener right 67

at the axially inner end of the compression holes 80; and plugs 96 are provided for the holes 80. Therefore, Clarkson fails to disclose at least the element "a pneumatic circumferential watertight chamber entirely filled with air", as recited in Claim 8. Accordingly, Clarkson does not anticipate Claim 8 because it does not disclose each and every element of Claim 8. Claims 9-10 depend from Claim 8, and thus are believed to be allowable due to their dependency on Claim 8.

Claim Rejections Under 35 U.S.C. § 103:

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Clarkson in view of Williams et al., US 3,333,816 (hereinafter "Williams"). Applicant respectfully traverses the rejections because Clarkson in view of Williams does not teach or suggest all of the elements of Claim 8 from which Claim 11 depends.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

As stated above, Clarkson fails to teach or suggest the element "a pneumatic circumferential watertight chamber entirely filled with air", as recited in Claim 8. Williams does not cure the deficiency of Clarkson because Williams fails to teach or suggest the element "a pneumatic circumferential watertight chamber entirely filled with air", as recited in Claim 8. Therefore, Clarkson in view of Williams does not render Claim 8 obvious because they fail to teach or suggest all elements of Claim 8.

Claim 11 includes the elements "each sealing element incorporates a metallic core in a form of "T", each metallic bore comprising two independent portions, a tubular portion to provide stiffness to the sealing element and a disk portion which actuates like a ring to distribute a load exerted by pipe flanges", as well as the elements of Claim 8. In the contrary

to the Examiner's rejection, Williams does not teach or suggest the elements "a tubular portion to provide stiffness to the sealing element and a disk portion which actuates like a ring to distribute a load exerted by pipe flanges", as recited in Claim 11. Therefore, Clarkson in view of Williams do not render Claim 11 obvious because they fail to teach or suggest all of the elements of Claim 11, as well as the elements of Claim 8.

Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Clarkson in view of Fortune, US 3,367,625 (hereinafter "Fortune"). Applicant respectfully traverse the rejections because neither Clarkson nor Fortune suggests or teaches the element "a pneumatic circumferential watertight chamber entirely filled with air", as recited in Claim 8, from which Claim 12 depends.

Therefore, Clarkson in view of Fortune do not render Claim 8 obvious because they fail to teach or suggest all elements of Claim 8. Claim 12 is believed to be allowable due to its dependency on Claim 8.

Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 13 depends from Claim 8, and thus is believed to be allowable due to its dependency on Claim 8.

Conclusion

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicant. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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